

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 35, 43 are requested to be cancelled.

Claims 30-34, 36, 37, 39-42, 44-46, 48-52, 58 and 59 are currently being amended.

This amendment changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 30-34, 36, 37, 39-42, 44-46, 48-52, 54 and 56-59 are now pending in this application.

EXAMINER INTERVIEW SUMMARY

On March 25, 2010, a telephonic examiner interview took place between Examiner Pierre Elisca and counsel of record Steven C. Becker. The parties discussed the topics on the Applicant Initiated Interview Request Form (attached). In particular, Mr. Becker distinguished claim 30 from the Kakihara reference. No exhibit or demonstration was shown. The parties discussed amending the claim to recite an “object” instead of a “product.” Examiner Elisca indicated this would overcome the current rejection. An informal amendment proposal was submitted on March 25, 2010 (attached). Examiner Elisca then phoned on March 26, 2010 to confirm that the amendment would overcome the current rejection.

CLAIM REJECTIONS – 35 U.S.C. § 103

On page 2 of the Office Action, the Examiner rejected claims 30-54 and 56-59 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,292,147 to Ham (Ham) and U.S. Patent No. 6,959,282 to Kakihara et al. (Kakihara) in view of U.S. Patent No. 7,376,586 to Partovi et al. (Partovi). This rejection is respectfully traversed.

Claim 30 recites a system for pricing “an object,” and a data processor “to set a price for selling the object.” None of the three references teaches or suggests this feature of Claim 30. The remaining claims of the present application recite similar limitations and are allowable for at least the same reason. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date /March 31, 2010/_____

By /Steven C. Becker/_____

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